



Connecticut Department of

ENERGY &
ENVIRONMENTAL
PROTECTION

David Conroy, Chief
Air Programs Branch
EPA Region I
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Dear Mr. Conroy:

On August 18, 2000, the Connecticut Department of Environmental Protection (now the Department of Energy and Environmental Protection (DEEP)), submitted a revision to the State Implementation Plan which included three approval notices (NJ-1, NJ-2, and NJ-4). The approval notices certified certain emission reduction credits (ERCs) that were generated in New Jersey by Public Service Electric and Gas Company (PSE&G). The commissioner of DEEP signed such notices pursuant to a Memorandum of Understanding between the states of Connecticut and New Jersey. The ERC approval notices were identified at 40 CFR 52.370(c)(82)(ii)(B) as "policy materials concerning the use of emission credits from New Jersey at Connecticut sources".

A review of 40 CFR 51 Subpart U (*Requirements for preparation, adoption, and submittal of implementation plans-Economic Incentive Programs*) and the Clean Air Act 42 U.S.C. §7410 (*State Implementation Plans for national primary and secondary ambient air quality standards*) does not indicate that the MOU between the States of Connecticut and New Jersey, or the policy materials (ERC approval notices) submitted in the Connecticut State Implementation Plan, were required to be made federally enforceable. Therefore, DEEP would like to modify the SIP submittal by withdrawing the approval notices.

Should you have any questions, you may reach Michael LaFleur of my staff at 860-424-3462.

Yours truly,

Anne Gobin, Chief
Bureau of Air Management

October 16, 2015

Date